

REMARKS/ARGUMENTS

1.) Claim Amendments

Claims 27-34 are pending in the application. The Applicants have amended claims 27-34 in accordance with the Examiner's suggestion to place the claims in condition for allowance. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Claim Rejections – 35 U.S.C. § 101

In paragraphs 2-4 of the Office Action, the Examiner rejected claims 27-34 under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. The Examiner suggested, however, that the claims would be considered statutory subject matter if they were directed to speech or audio signal processing. The Applicants have amended claims 27-34 to recite an invention directed to speech encoding and speech decoding in order to overcome the 35 U.S.C. § 101 rejection. It is clear from the specification that the invention relates to speech encoding and decoding (see for example, page 1, lines 10-11; and page 2, lines 21-23).

Previously, the encoding claims included the limitations:

identifying, for each signal block of a plurality of signal blocks, a corresponding excitation codebook identification from said cyclically generated sequence of excitation codebook identifications; and

encoding each signal block by using an excitation codebook corresponding to said identified excitation codebook identification;

The decoding claims included similar limitations for the decoding process. However, the preambles of the claims did not expressly recite that the method or apparatus performed speech encoding (or decoding).

The Applicants have amended the preamble of each claim to expressly recite that the method or apparatus performs speech encoding (or decoding). In addition, in the encoding claims, the implied step of receiving a plurality of unencoded speech signal blocks in a CELP speech encoder has been expressly recited. In the decoding

claims, the implied step of receiving a plurality of encoded speech signal blocks in a CELP speech decoder has been expressly recited.

Thus, signals corresponding to physical objects or activities outside of the encoder/decoder are transformed by the process in the encoder/decoder. Therefore, the withdrawal of the rejection under § 101 and the allowance of claims 27-34 are respectfully requested.

CONCLUSION

The Applicants have placed the claims in condition for allowance in accordance with the Examiner's suggestion. Therefore it is respectfully requested that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 27-34.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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